

1 THOMAS M. HERLIHY (SBN 83615)

2 JOHN C. FERRY (SBN 104411)

3 KELLY, HERLIHY & KLEIN LLP

4 44 Montgomery Street, Suite 2500

5 San Francisco, CA 94104-4798

6 Tel.: (415) 951-0535

7 Fax: (415) 391-7808

8 Email: herlihy@kelher.com

9 jferry@kelher.com

10 Attorneys for Defendants

11 UNUM GROUP (formerly known as

12 UNUMPROVIDENT CORPORATION),

13 UNUM CORPORATION (a now non-existent

14 entity, properly referred to as Unum Group)

15 and METLIFE INSURANCE COMPANY

16 (successor in interest by merger to

17 NEW ENGLAND MUTUAL

18 LIFE INSURANCE COMPANY)

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 CLAUDIA L. BLAKE

22 Plaintiff,

23 vs.

24 UNUMPROVIDENT CORPORATION;

25 UNUM CORPORATION, NEW ENGLAND

26 MUTUAL LIFE INSURANCE COMPANY,

27 COMMISSIONER OF THE CALIFORNIA

28 DEPARTMENT OF INSURANCE, and DOES

1 through 20 inclusive,

Defendants.

) Case No.: C07-4366 EMC

)
) **DECLARATION OF MICHELLE L.**
) **BACKUS IN SUPPORT OF**
) **DEFENDANTS' OPPOSITION TO**
) **MOTION TO REMAND**

1 I, Michelle L. Backus, declare as follows:

2 1. I am over the age of 21 years, and I am employed as a Lead Disability Benefits
3 Specialist for Unum Group, formerly known as UnumProvident Corporation. I have been
4 employed for the company since January 8, 1999. I have personal knowledge of the matters set
5 forth herein and could competently testify to the same if called upon to do so.

6 2. I submit this declaration in support of Defendants' opposition to Plaintiff's
7 motion to remand.

8 3 By virtue of my employment, I have knowledge of the policies issued to Plaintiff
9 and her claim for benefits. New England Mutual Life Insurance Company, (now known as
10 Metlife Insurance Company) issued Policy No. D118455 to Plaintiff on or about October 1,
11 1987. At the time of issue, Plaintiff was age 37. This policy provided a maximum monthly
12 benefit of \$2,000 to age 65. (Complaint, Ex A)

13 4. New England Mutual issued Policy No. D118456 to Plaintiff on or about October
14 1, 1987. At the time of issue, Plaintiff was age 37. This policy provided a maximum monthly
15 benefit of \$3,000 for 12 months, or \$36,000. (Complaint, Ex A)

16 5. Plaintiff submitted a claim for disability benefits under Policy No. 118455 and
17 received benefits for the period May 21, 2004 through March 1, 2005 in the amount of
18 \$18,733.33. No further payments have been made.

19 6 Plaintiff submitted a claim for disability payments under Policy No. 118456 and
20 received benefits for the period May 21, 2004 through December 1, 2004 in the amount of
21 \$19,000. No further payments have been made.

22 7. Plaintiff further claims that she is entitled to future benefits under Policy No.
23 118455. Plaintiff was born in 1950 (Complaint, Ex A) hence, her claim for future benefits would
24 extend to 2015. From the date of the execution of this declaration that is approximately 8 years.
25 If Plaintiff were paid benefits to 2015 that amount would be approximately \$192,000.00.

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1 I declare under penalty of perjury under the laws of the State of California, State of
2 Massachusetts and of the United States that the foregoing is true and correct. Executed this 26th
3 day of October, 2007, at Worcester, MA.

4 Michelle A. Backus

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